

## § 86.1116-87

(z) *Judicial review.* (1) The Administrator hereby designates the General Counsel of the Environmental Protection Agency as the officer upon whom any copies for judicial review shall be served. Such officer shall be responsible for filing in the court the record on which the order of the Environmental Appeals Board is based.

(2) [Reserved]

[50 FR 35388, Aug. 30, 1985, as amended at 50 FR 53467, Dec. 31, 1985; 55 FR 46630, Nov. 5, 1990; 57 FR 5333, Feb. 13, 1992]

### § 86.1116-87 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment as provided by 40 CFR part 2, subpart B.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this subpart is confidential, a manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by the Environmental Appeals Board only to the extent and by means of the procedures set forth in part 2, subpart B, of this chapter.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with 40 CFR 2.204(c)(2)(i)(A).

[50 FR 34798, Aug. 27, 1985, as amended at 57 FR 5334, Feb. 13, 1992]

## 40 CFR Ch. I (7-1-04 Edition)

### Subpart M—Evaporative Emission Test Procedures for New Gasoline-Fueled, Natural Gas-Fueled, Liquefied Petroleum Gas-Fueled and Methanol-Fueled Heavy-Duty Vehicles

AUTHORITY: Secs. 202, 206, 301, Clean Air Act as amended, 42 U.S.C. 7521, 7525, 7601.

SOURCE: 48 FR 1456, Jan. 12, 1983, unless otherwise noted.

#### § 86.1201-90 Applicability.

(a) The provisions of this subpart are applicable to new gasoline-fueled, natural gas-fueled, liquefied petroleum gas-fueled and methanol-fueled heavy-duty vehicles.

(b) Provisions of this subpart apply to tests performed by both the Administrator and motor vehicle manufacturers.

(c) Test procedures and equipment other than those described in this subpart may be used by the vehicle manufacturer if shown to yield results which correlate with results yielded by those described in this subpart (with the reference driving schedule described in § 86.1215-85(a)) and if approved in advance by the Administrator.

[54 FR 14562, Apr. 11, 1989, as amended at 59 FR 48521, Sept. 21, 1994]

#### § 86.1202-85 Definitions.

Applicable definitions in §§ 86.077-2, 86.078-2, 86.079-2, 86.080-2, 86.081-2, 86.082-2 and 86.085-2 apply to this subpart.

#### § 86.1203-85 Abbreviations.

The abbreviations in § 86.079-3 apply to this subpart.

#### § 86.1204 Section numbering.

The section numbering system set forth in § 86.104 applies to this subpart.

[59 FR 48521, Sept. 21, 1994]

#### § 86.1205-90 Introduction; structure of subpart.

(a) This subpart describes the equipment required and the procedures to follow in order to determine evaporative emission levels from gasoline-

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fueled, natural gas-fueled, liquefied petroleum gas-fueled and methanol-fueled heavy-duty vehicles.

(b) Three topics are addressed in this subpart. Sections 86.1206 through 86.1215 set forth specifications and equipment requirements; §§ 86.1216 through 86.1226 discuss calibration methods and frequency; test procedures and data requirements are listed in §§ 86.1227 through 86.1246.

[54 FR 14562, Apr. 11, 1989, as amended at 58 FR 16047, Mar. 24, 1993; 59 FR 48521, Sept. 21, 1994]

### § 86.1206-90 Equipment required; overview.

This subpart specifies procedures for testing of gasoline-fueled and methanol-fueled heavy-duty vehicles. Equipment required and specifications are as follows:

(a) *Evaporative emissions tests.* § 86.1207 specifies the necessary equipment.

(b) *Fuel, analytical gas, and driving schedule specifications.* Fuel specifications for emission testing and for service accumulation are specified in § 86.1213. Analytical gases are specified in § 86.1214. Both vehicle preconditioning for the diurnal loss test and vehicle operation prior to the hot soak loss test include operation on a chassis dynamometer. The driving cycle (EPA heavy-duty vehicle urban dynamometer driving schedule) is specified in § 86.1215.

[54 FR 14562, Apr. 11, 1989]

### § 86.1206-96 Equipment required; overview.

This subpart specifies procedures for testing of gasoline-fueled, natural gas-fueled, liquefied petroleum gas-fueled and methanol-fueled heavy-duty vehicles. Equipment required and specifications are as follows:

(a) *Evaporative emission tests.* Section 86.1207 specifies the necessary equipment.

(b) *Fuel, analytical gas, and driving schedule specifications.* Fuel specifications for emission testing and for service accumulation are specified in § 86.1213. Analytical gases are specified in § 86.1214. Evaporative testing requires vehicle operation on a chassis

dynamometer. The driving cycle is specified in § 86.1215.

[58 FR 16047, Mar. 24, 1993, as amended at 59 FR 48521, Sept. 21, 1994; 65 FR 59957, Oct. 6, 2000]

### § 86.1207-90 Sampling and analytical system; evaporative emissions.

The following is a description of the components which will be used in evaporative emissions sampling systems for testing under this subpart.

(a) *Evaporative emission measurement enclosure.* The enclosure shall be readily sealable, rectangular in shape, with space for personnel access to all sides of the vehicle. When sealed, the enclosure shall be gas tight in accordance with § 86.1217. Interior surfaces must be impermeable and non-reactive to hydrocarbons and to methanol (if used for methanol-fueled vehicles). One surface should be of flexible, impermeable and non-reactive material to allow for minor volume changes, resulting from temperature changes. Wall design should promote maximum dissipation of heat, and if artificial cooling is used, interior surface temperatures shall not be less than 68 °F (20 °C).

(b) *Evaporative emission hydrocarbon and methanol analyzers.* (1) For gasoline and methanol-fueled vehicles a hydrocarbon analyzer utilizing the hydrogen flame ionization principle (FID) shall be used to monitor the atmosphere within the enclosure (a heated FID (HFID)(235±15 °F (113±8 °C)) is recommended for methanol-fueled vehicles). Instrument bypass flow may be returned to the enclosure. The FID shall have a response time to 90 percent of final reading of less than 1.5 seconds, and be capable of meeting performance requirements expressed as a function of Cstd: where Cstd is the specific enclosure hydrocarbon level, in ppm, corresponding to the evaporative emission standard:

(i) Stability of the analyzer shall be better than 0.01 Cstd ppm at zero and span over a 15-minute period on all ranges used.

(ii) Repeatability of the analyzer, expressed as one standard deviation, shall be better than 0.005 Cstd ppm on all ranges used.